REMARKS

Applicants have carefully reviewed the Office Action dated May 8, 2003. Applicants have amended Claims 1, 3, 4 and 6 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-3 stand rejected under 35 U.S.C. §102(a) as being anticipated by *Kikinis*, U.S. Patent No. 5,929,849. This rejection is respectfully traversed with respect to the amended claims.

Claim 1 has been amended to incorporate the limitations of Claim 3 and some additional amendments thereto. Claim 1 as set forth presently, is directed toward a system wherein information is "embedded" within a broadcast for the purpose of inducing a consumer to access the desired advertiser's location on the global communication network. This information, as set forth in the portion of Claim 3 incorporated in Claim 1, is spread throughout the program broadcast in different places, such that the different places are associated with broadcast content. Thus, an advertiser can strategically place the information at an appropriate place with respect to content and/or time. For example, if a commercial is about to come on, they could place information in the broadcast prior to the commercial or just after the commercial.

The *Kikinis* reference discloses a system where a URL is broadcast in the data stream as an image which is stripped out of the image and used to activate an internet web browser. There is no inducement to the user to activate or access the web but, rather, there is an automatic connection utilizing the URL. Further, *Kikinis* does not disclose spreading unique information at specific places in the program in such a manner that it is disposed in proximate relationship to certain content of the program. In Col. 6, lines 50-67 of *Kikinis*, the system is disclosed wherein an icon is illustrated with the control information disposed between frames, this referred to as the class of Vertical Blanking Interval (VBI) applications. There is no inducing of a consumer to access an advertiser's location; rather, it is automatic in *Kikinis*. The consumer, with use of Applicants; inventive concept as defined by the amended claims, is directed toward placing their computer by the broadcast, which broadcast is broadcast to the consumer in the same manner as the advertisement broadcast, *i.e.*, it is displayed or audibly output, such that access can

be achieved through the computer, the subject of later claims. As such, Applicants believe that *Kikinis* does not obviate or anticipate Applicant's present inventive concept, as defined by Claims 1-2 and, therefore, the withdrawal of the 35 U.S.C. §102(e) rejection is respectfully requested.

Claims 4-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kikinis* in view of *Marsh*. This rejection is respectfully traversed with respect to the amended claims. Applicants believe that *Marsh* does not cure the deficiency noted herein above with respect to *Kikinis* and, therefore, since Claims 4-5 depend from Claim 1, Applicants believe that the addition of *Marsh* does not obviate or anticipate Applicant's present inventive concept. Therefore, Applicants respectfully request the withdrawal of the 35 U.S.C. §103(a) rejection with respect to Claims 4-5.

Claims 6-7 stand rejected under 35 U.S.C. § 103(a) a being unpatentable over *Kikinis*, in view of *Birdwell*. Applicants believe that *Birdwell* does not cure the deficiency in *Kikinis* and, therefore, since Claims 6-7 depend from Claim 1, Applicants believe that Claims 6-7 are not anticipated or obviated by the combination of *Birdwell* and *Kikinis*. Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection with respect to Claims 6-7.

Claims 8 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Kikinis*, in view of *Williams*. Applicants believe that *Williams* does not cure the deficiencies noted herein above with regard to Claim 1 and, therefore, since Claims 8 and 10 depend from Claim 1, Applicants believe that Claims 8 and 10 are not obviated or anticipated by the combination of *Williams* and *Kikinis*. Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of Claims 8 and 10.

Claims 9 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Kikinis* and *Williams*, and further review of *Marsh*. Since Claims 9 and 11 depend from Claim 1 and neither *Marsh* nor *Williams*, taken singularly or in combination with *Kikinis* or each other, Claims 9 and 11 are not believed to obviate or anticipate Applicant's present inventive concept, as defined by Claim 1. Applicants therefore respectfully request the withdrawal of the 35 U.S.C. §103(a) rejection with respect to Claims 9 and 11.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,739 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,

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